

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

April 5, 2010

C059896 THE PEOPLE v. (Not For Publication)
BRANDON MAURICE LACEY

 The judgment is affirmed. The trial court is directed to apply an additional 112 days of presentence custody credit to defendant's sentence and to file an amended abstract of judgment with the Department of Corrections and Rehabilitation.

 RAYE, Acting P.J.
We Concur: Butz, J.
 Cantil-Sakauye, J.

C062172 In re W.N.; MODOC COUNTY DEPARTMENT (Not For Publication)
OF SOCIAL SERVICES v. W.N.

 The order of the juvenile court is affirmed.

 ROBIE, J.
We Concur: Blease, Acting P.J.
 Hull, J.

April 6, 2010

C061175 THE PEOPLE v. DOCK MCNEELY (Not For Publication)

 The appeal is dismissed.

 NICHOLSON, J.
We Concur: Scotland, P.J.
 Raye, J.

C059879 SACRAMENTO PUBLIC LIBRARY (Not For Publication)
AUTHORITY v. HAGGINWOOD SERVICES,
INC., et al.

 The order denying defendants' motion to set aside the default and vacate the judgment is affirmed. The library shall recover its costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (2).)

 RAYE, J.
We Concur: Blease, Acting P.J.
 Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

April 6, 2010, Continued

**C061031 MARTINEZ v. (Certified For Publication)
BOARD OF PAROLE HEARINGS**

The judgment (order issuing a peremptory writ of mandate) is affirmed in part and reversed in part. The matter is remanded to the superior court with directions to vacate its order, dated December 31, 2008, and to enter a new order issuing a peremptory writ of mandate... The parties shall bear their own costs in this appeal. (Cal. Rules of Court, rule 8.278 (a) (5).)

SCOTLAND, P.J.

I concur: Hull, J.

I concur in part I of the majority opinion. ...

I respectfully dissent from part II of the majority opinion. ...

I agree completely with the warden of Corcoran prison and with Superior Court Judge Lloyd G. Connelly. Petitioner Martinez does not pose a sufficient threat to public safety to justify his continued extraordinarily expensive incarceration. I would affirm the judgment of the trial court and order BPH to grant his petition.

Sims, J.

**C059715 STEELE v. SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BY THE COURT:**

Appellant's petition for rehearing is denied.

NICHOLSON, Acting P.J.

April 7, 2010

C060495 THE PEOPLE v. STEVEN DAVIS (Not For Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Nicholson, Acting P.J.

Butz, J.

**C061213 THE PEOPLE v. (Not For Publication)
LAWRENCE PEPE CARDOZA**

The judgment is affirmed.

ROBIE, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

April 7, 2010, Continued

- C061729 THE PEOPLE v. (Not For Publication)**
JOSHUA LANDON KLIPP
The judgment is affirmed.
RAYE, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C061992 THE PEOPLE v. (Not For Publication)**
RICHARD LEE HOWSE
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Sims, J.
- C062594 THE PEOPLE v. (Not For Publication)**
LUIS ARTURO BARBA VARGAS
The judgment is modified to strike victim restitution in the amount of \$1,871 and to increase defendant's credits (998 days) pursuant to section 4019. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect these modifications and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
ROBIE, J.
We Concur: Scotland, P.J.
Sims, J.
- C056970 THE SWAHN GROUP, INC., et al. v. (Certified For Publication)**
SEGAL et al.
The judgment of dismissal is reversed. Plaintiffs shall recover their costs on appeal.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J.
- C059214 MCCOURT et al. v. REGENTS OF THE (Not For Publication)**
UNIVERSITY OF CALIFORNIA et al.
The judgment is affirmed.
BUTZ, J.
I concur: Blease, Acting P.J.
I concur in the majority opinion. I write separately to state that, in my view, even if the complaint of Diana Pearson and Christine Murillo (to which appellants were not parties) is treated as the operative pleading, appellants lose on the merits. ...
Sims, J.

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STATE OF CALIFORNIA
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Court Minutes

April 7, 2010, Continued

- C059805 GARDELLA v. TORRES et al. (Not For Publication)**
The judgment is affirmed. Defendants shall recover their costs on appeal. (Cal. Rules of Court, rule 8.278 (a)(1) & (2).)
BLEASE, Acting P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.
- C061316 ESCOBAR v. FLORES (Certified For Publication)**
The order denying mother's petition is affirmed. Father shall recover his costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1).)
ROBIE, J.
We Concur: Sims, Acting P.J.
Nicholson, J.
- C062361 PAMMA v. SIKH TEMPLE, GURDWARA, (Not For Publication)**
YUBA CITY, INC.
The order granting the preliminary injunction is affirmed. Pamma shall recover his costs on appeal. (Cal. Rules of Court, rule 8.278 (a).)
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Hull, J.
- C061010 In re L.B.; THE PEOPLE v. L.B. (Certified For Partial Publication)**
THE COURT:
It is ordered that the opinion filed herein on March 16, 2010, be modified...
There is no change in the judgment.
Plaintiff's petition for rehearing is denied.
BY THE COURT
SIMS, Acting P.J.
Raye, J.
Cantil-Sakauye, J.

April 8, 2010

- C059765 THE PEOPLE v. (Not For Publication)**
ZACHARIAH JOSEPH FARRELL
The judgment is affirmed.
BUTZ, J.
We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

April 8, 2010, Continued

C059481 HALLOUM v. DFO, INC. (Not For Publication)

The judgment is affirmed. Denny's shall recover costs on appeal.

RAYE, J.

We Concur: Blease, Acting P.J.
 Cantil-Sakauye, J.

**C060377 In re T.P.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. L.L.**

The juvenile court's orders are affirmed.

SIMS, J.

We Concur: Scotland, P.J.
 Cantil-Sakauye, J.

**C060747 THE PEOPLE v. (Not For Publication)
CURTIS MILES UPTHEGROVE
BY THE COURT:**

It is hereby ordered that the opinion filed herein on March 25, 2010, be modified...

This modification constitutes a change in the judgment. (Cal. Rules of Court, rule 8.264 (c) (2).)

BY THE COURT

SCOTLAND, P.J.

Sims, J.

Cantil-Sakauye, J.

April 9, 2010

**C062834 THE PEOPLE v. (Not For Publication)
RICHARD DEWAYNE BASSETT**

The judgment is modified by striking the orders that defendant pay restitution to the Butte County Jail and have no visitation with the victim. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect the modifications and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

SCOTLAND, P.J.

We Concur: Sims, J.
 Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

April 9, 2010, Continued

C062849

**In re D.B.; SHASTA COUNTY
DEPARTMENT OF SOCIAL
SERVICES v. T.Z.**

(Not For Publication)

The judgment is affirmed.
RAYE, J.

We Concur: Nicholson, Acting P.J.
Cantil-Sakauye, J.